



REGULAR MEETING
Minutes for
Wednesday, March 24, 2004
4:00 P.M. – 5th Floor Large Conference Room
and
5:30 P.M. - Art Pick Council Chambers
3900 Main Street, Riverside, CA

WORKSHOP – 4:00 P.M.

Roll Call

Present: Commissioners Brewer, Corral, Garcia, Gardner, Huerta, Pearcy, and Ward
Alternate Quinto

Absent: Commissioner Davidson

Public Comment

There were no public comments at this time.

The following Workshop was tape-recorded.
For copies, please call the CPRC office at (909) 826-5509.

Workshop

Pat McCarthy, President of the Riverside Police Officers' Association (RPOA), and RPOA Representative Chris Lanzillo spoke to the Commission about CPRC / RPOA relations. They told the Commission that:

- RPOA has never been contacted by CPRC regarding the Police Officers' Bill of Rights
- union representatives have training to represent officers
- the law has recently changed and punitive damages for a violation of an officers' rights can go up to \$25,000
- RPOA wants to maintain dialog, communication with the Commission
- they feel there should be a subcommittee to oversee the Commission; to look at core issues of complaints; subcommittee should look at the need for the Commission
- the RPOA feels they should have a representative in the Commission's closed case review meetings
- the Commission's review adds too much time to the complaint process; hard on officers to have complaints hanging over their heads
- many decisions are overturned in arbitration
- majority of officers don't want the Commission around

Commissioner comments:

- the training for the original commissioners was taped and is available for new commissioners
- Council receives two reports annually from the Commission – one oral, one written
- there is no outside influence on the Commission regarding the policy recommendations it makes
- recommendations are made to the City Manager's office, who sees both findings; the Commission doesn't know what the City Manager's findings are
- RPD findings are never seen by the commissioners
- Commission is trying to make policy recommendations that are beneficial to both citizens and officers
- in past, majority of focus has been spent on reviewing complaints – hopes Commission can begin to spend more time on things that are less adversarial such as community / police relations
- it is the Police Chief's decision regarding the acceptance or rejection of policy recommendations
- interesting that the first concern about the Commission is who is looking over what Commission is doing; everyone is looking at what the Commission is doing – mayor, council, public – which is also shown by news releases.
- there is nothing the Commission does that city officials and the public are not aware of and everything the Commission does is open to anyone who is interested in what it is doing
- numerous reasons why the Commission is needed; broken practices, the Attorney General and new chief have instituted change
- Commission is here because prior Council wanted something in place to help fix problems between the community and RPD and other cities have found oversight to be a tool
- sees that more training is needed just by looking at investigations because questions aren't asked when they should have been
- Commission should be seen as an additional tool to repair, to help in repair process
- to say that the Commission needs oversight shows a lack of understanding about the Commission
- it's a misconception that Commission has disciplinary role
- big hold up with case review is when Commission sends cases back
- three weeks added to complaint process because of Commission; before Commission, the overall time a complaint took to go through the process was longer than it is now
- there have been times when the Commission has made decisions in favor of the officer where RPD didn't
- Commission should know when decisions have been overturned in arbitration

Public Comment

Carrie Madrid

Ms. Madrid said she takes exception to the words "community mistrust." She said the voices of the people who support the officers aren't heard and that one thing that hasn't changed is racism against the color blue.

Closed Session – Case Reviews

Due to time constraints, there was no case review.

The Commission recessed at 5:27 p.m. to reconvene in the Council Chambers at 5:41 p.m.

OPEN SESSION – 5:52 P.M.

**The following proceedings have been digitally recorded.
For copies, please call the CPRC office at (909) 826-5509.**

Chairman Gardner led in the Pledge of Allegiance. Chairman Gardner asked Ms. Sherron to confirm commissioner attendance.

Roll Call

Present: Commissioners Brewer, Corral, Garcia, Gardner, Huerta, Pearcy, and Ward
Alternate Quinto

Absent: Commissioner Davidson

Approval of Minutes

January Regular Meeting – Commissioner Ward moved to approve; Commissioner Pearcy seconded the motion. The motion passed 5 for, 1 opposed, and 1 abstention.

February Regular Meeting – Commissioner Huerta moved to approve with corrections made on pages 4-12 and 4-13; Commissioner Brewer seconded the motion. The motion passed 6 for, 0 opposed, and 1 abstention.

March 3 and March 17 Special Meeting – Commissioner Huerta moved to approve; Commissioner Brewer seconded the motion. The motion passed unanimously.

Executive Director's Report & Comments

Mr. Williams told the Commission that:

- Bonavita Quinto will be sworn in on April 6.
- the policy recommendation made regarding shooting at moving vehicles has been adopted and the Department has issued a special order that will act as policy until new policy is written

Commissioner's Comments

Commissioner Pearcy commended staff for putting on the workshops saying they were beneficial to all concerned. He encouraged staff to develop additional training programs.

Chairman Gardner said he and Commissioner Huerta had meeting with the City Attorney regarding the Commission's work. Commissioner Ward's concerns regarding investigations were discussed. They also discussed how the Commission get more information out to the public than it is doing currently. The City Attorney said that any information discussed publicly must be done prior to seeing the IA report. The City Attorney was adamant that Commission couldn't conduct its review without seeing the IA report.

Chairman Gardner felt it was a good meeting. While the Commission can subpoena anyone, if it's an officer, the Commission can't make him talk. Two possible routes to make an officer speak to Commission: regard the Commission as a branch of RPD or the Commission can go to Superior Court to have a judge order the officer to speak to the Commission. The Chief can't compel an officer to talk to the Commission, and in the City Attorney's opinion, there is no chance that the case would be seen by court. The Commission can ask questions of the Department to ask the officer. It's slow, but works and appears to be the only avenue available.

Public Comments

Philip Nava

Mr. Nava said that he had read that the City Council wants to disband the Commission. He said he had read the Stipulated Judgment and that it seems the City doesn't have the authority to do that without the approval of the Attorney General.

Mr. Nava also said that he is concerned about audio recordings, which are stipulated in the judgment. He said that, to his knowledge, there was no recording made when he was arrested.

Nanette Pratini

Ms. Pratini, facilitator for the Riverside Coalition of Public Accountability (RCPA), said the RCPA has been having a series of meetings in support of the Commission. She presented a final questionnaire to the Commission. She also said the workshops were good.

Ms. Pratini spoke regarding a recent incident in which Letitia Pepper she was arrested. Ms. Pepper had called the Watch Commander and was told she couldn't file a complaint; when she went to RPD, she couldn't get a complaint form. Ms. Pratini said Ms. Pepper will need the Commission's help to get conclusion on issue.

McComb Case

After brief discussion and requests that typos be corrected and a scene diagram be attached, the public report for the McComb officer-involved death case was approved by the Commission – 6 for, 1 abstention.

CPRC 2003 Annual Report

After minimal discussions, Commission Brewer moved to accept the CPRC 2003 Annual Report. He noted that his motion covered any future corrections that might be needed. Commissioner Huerta seconded the motion. The motion passed 7 – 0.

Commissioner Percy thanked Staff for the revised tables and charts.

Appointment of a Standing Outreach Committee

Chairman Gardner appointed the Outreach Committee as a standing committee with members of the ad hoc Outreach Committee appointed as members of the standing committee; Commissioner Percy as chair, and Commissioners Davidson and Huerta. He also noted that standing committee meetings require public notice.

Letitia Pepper

Ms. Pepper gave documents to the commissioners so that the Commission would be informed of the incident in which she was involved. She said she has asked the District Attorney to recuse itself from pressing charges. She also said that complaint forms should be in an area where citizens can get them.

The Commission adjourned at 6:38 p.m.

Respectfully submitted,

A handwritten signature in red ink that reads "Phoebe Sherron". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

PHOEBE SHERRON
Sr. Office Specialist